

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ERIC ROSENBERG,

Plaintiff,

-v-

ORTHO-MCNEIL JANSSEN
PHARMACEUTICALS, INC. *et al.*,

Defendants.

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DATE FILED: 9/21/09

No. 09 Civ. 7753 (RJS)

ORDER

RICHARD J. SULLIVAN, District Judge:

The Court is in receipt of Defendants' letter dated September 17, 2009 in which they indicate that they are pursuing a transfer of this action to the related Multidistrict Litigation, *In re Levaquin Products Liability Litigation* (08 Md. 1943), and that they expect a resolution of this request sometime in October of 2009. Therefore, Defendants ask the Court to postpone the initial conference until November, 2009. Defendants indicate that the Plaintiff consents.

Accordingly, the parties are HEREBY ORDERED to appear for an initial conference on November 17, 2009 at 9:30 a.m. in Courtroom 21C of the United States District Court for the Southern District of New York, 500 Pearl Street, New York, New York.

IT IS FURTHER HEREBY ORDERED THAT, by November 10, 2009 at 4:00 p.m., the parties shall jointly submit a letter, not to exceed five (5) pages, providing the following information in separate paragraphs:

- (1) A brief statement of the nature of the action and the principal defenses thereto;
- (2) A brief explanation of why jurisdiction and venue lie in this Court;
- (3) A brief description of all outstanding motions and/or outstanding requests to file motions;
- (4) A brief description of any discovery that has already taken place, and that which will be necessary for the parties to engage in meaningful settlement negotiations;
- (5) A list of all prior settlement discussions, including the date, the parties involved, and the approximate duration of such discussions, if any;
- (6) The estimated length of trial; and
- (7) Any other information that you believe may assist this Court in resolving this action.


IT IS FURTHER ORDERED THAT, by November 10, 2009 at 4:00 p.m., the parties shall submit to the Court a proposed case management plan and scheduling order. A template for the order is available at http://www1.nysd.uscourts.gov/judge_info.php?id=99.

The status letter and the proposed case management plan should be emailed to my chambers at the following email address: sullivannysdchambers@nysd.uscourts.gov. Please consult my Individual Rules with respect to communications with chambers and related matters.

IT IS FURTHER ORDERED THAT Defendants shall serve a copy of this Order upon Plaintiff.

SO ORDERED.

Dated: September 21, 2009
New York, New York



RICHARD J. SULLIVAN
UNITED STATES DISTRICT JUDGE